

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

ENCRYPTAWAVE TECHNOLOGIES	§	
LLC	§	
	§	CIVIL NO. 4:24-CV-274-SDJ
v.	§	
	§	
SHARP CORPORATION	§	

**NOTICE OF IMPENDING DISMISSAL**


The Original Complaint was filed in this case on March 29, 2024. It appears from the records currently before the Court that Defendant Sharp Corporation has not yet been served. Moreover, the Court's records indicate that more than 60 days have passed from the filing of the Complaint and/or Notice of Removal in this Court. Therefore, this notice serves to inform Plaintiff that this action shall be dismissed without prejudice as to Defendant after 90 days, in accordance with Federal Rule of Civil Procedure 4(m), as amended effective October 14, 2021.

To avoid dismissal pursuant to Rule 4(m), if more than 90 days are necessary for service of process, Plaintiff must execute a verified petition regarding service of process, advising the Court:

- A. That the case should not be dismissed as to the unserved Defendant;
- B. That the failure to obtain service upon Defendant is not due to the fault of the Party seeking to avoid dismissal;
- C. The reasons why the case against the unserved Defendant should not be dismissed, set forth in detail and demonstrating good cause; and
- D. That service will be effected on Defendant within thirty (30) days of the date of the petition.

The verified petition must be filed with the Court on or before **June 28, 2024**. If the Court is satisfied that the case should not be dismissed as to the unserved Defendant, Plaintiff will be so notified. If dismissal of the case as to the unserved Defendant is satisfactory to the Plaintiff, no action is required. By executing the petition regarding service of process, Plaintiff need not appear in support thereof until and/or unless so notified by the Court. Failure to respond will result in dismissal of this case for failure to prosecute.

**So ORDERED and SIGNED this 30th day of May, 2024.**

  
SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE